

The University of Alabama at Birmingham

Disability Support Services

Division of Student Affairs

Student Handbook

Revised April 2020
J.C.

Hill Student Center, Suite 409
1400 University Boulevard

205-934-4205
dss@uab.edu
www.uab.edu/dss

Disability Support Services Mission Statement

DSS provides an accessible university experience through collaboration with UAB partners. These partnerships create opportunities to identify and remove barriers, provide individualized services, and facilitate accommodations in order to ensure individuals with disabilities have equal access to all university programs, activities, and services.

DSS serves as the university-appointed office charged with providing institution-wide advisement, consultation, and training on disability-related topics which include legal and regulatory compliance, universal design, and disability scholarship.

This student handbook has been developed to answer questions about accommodations for students with disabilities. DSS staff members can provide additional information and resources regarding services for students with disabilities.

Table of Contents

Process for Registering for Accommodations	4
• Accommodations and Services	6
• Reasonable Accommodations	6
• Temporary Accommodations.....	6
• Receiving Accommodations in Your Classes	7
• Initiating Classroom Accommodations with Instructors.....	8
Services and Policies	
• UAB Campus Resources.....	9
• Vulcan Materials Academic Success Center	12
• Tutoring Resources	13
• Self-Advocacy.....	14
• Confidentiality and Your Disability	15
• Grievance Process.....	16
• ADA Grievance Policy	17
• Vocational Rehabilitation	18
• Basic Principles of the ADA	20
Appendices	
A: The Differences in Legal Rights and Responsibilities in Secondary and Postsecondary Education.....	21
B: What are the Differences between High School and College?	23

Process for Students to Register for Accommodations

ALL STEPS MUST BE COMPLETED BY THE STUDENT TO BE ACTIVELY REGISTERED

1. **Application:** First, complete the DSS Application to Receive Accommodations, which is available through the DSS Student Portal. In order to complete the application, you must have a **Blazer ID and password**. If you have not been accepted into UAB and do not have a Blazer ID and password, please contact DSS directly at **205-934-4205** to obtain a copy of the application.

[DSS STUDENT PORTAL LOGIN](#)

2. **Documentation of Disability:** Submit documentation of your disability to DSS. Documentation costs are the student's responsibility. Documentation must be current (see guidelines for specific time frames) and must represent testing on the student as an adult. Usually, documentation accepted by DSS is valid as long as students are continuously enrolled at UAB. However, students may need to present updated documentation to receive services through DSS if they leave UAB and return, or if students experience a significant change in their physical, mental, or social situation.

Guidelines are available for the following categories of disabilities:

- Attention Deficit Hyperactivity Disorder/ Learning Disability
- Autism Spectrum Disorder
- Psychiatric Disorders
- Mobility, Sensory, and Systemic Disorders
- Traumatic Brain Injury
- Assistance Animal Guidelines

DSS will evaluate the documentation and send notification of status to the student. If all documentation is complete, the student will be asked to schedule an appointment to discuss accommodations. If documentation is incomplete, the student will receive an e-mail that will specify what is needed.

3. **Schedule an Accommodation Planning Meeting:**

Once DSS has received and reviewed your application and documentation, you will be contacted to schedule an Intake appointment. During this appointment, you will meet with a DSS Counselor to discuss individual needs, specific accommodation requests, and how your academic functioning is impacted by your disability.

4. Accommodation Orientation:

Once all documentation and eligibility requirements are met, you will attend an Accommodation Orientation either in person with a counselor or through a self-guided online orientation to review your accommodations. During the orientation, you will also review the process of sending accommodation letters to your instructors each semester.

Important Notes

- A history of received accommodations in high school or at another college or university does not mean a student is automatically eligible to receive accommodations at another institution.
- Many high school students have an IEP or 504 Plan. Generally, these are not sufficient to receive accommodations in college. You will likely need to have original documentation from a diagnosing professional or evaluator.
- Accommodations are not retroactive. You begin receiving accommodations once you have completely registered with DSS and send your instructor a faculty notification letter.
- The registration process may take several days to weeks to complete depending on the completeness of the documentation submitted.
- Having a diagnosed disability does not necessarily mean you will qualify for accommodations.

Accommodations and Services

The following section outlines more commonly requested accommodations and services. **It is not an all-inclusive list, nor does it cover every detail regarding implementation of the accommodation.** Details regarding implementation of accommodations are discussed during the Accommodation Orientation.

- **Priority Registration**
- **Testing Accommodations**
- **Note-taking Technology**
- **Books in Alternative Format**
- **Sign Language Interpreting/Captioning**
- **Reasonable Number of Disability- Related Absences**
- **Disability- Related Housing Requests**

All medical or disability-related accommodation requests regarding on-campus housing are coordinated through a joint process between Student Housing and Residence Life and Disability Support Services. All housing accommodation requests are considered on a case-by-case basis and should include documentation supporting the request.

Reasonable Accommodations

Federal disability laws call for provision of reasonable accommodations or academic adjustments as necessary to ensure that academic requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified applicant or student. Accommodations are provided based on the specific request and disability documentation provided to DSS. Accommodations will not be provided retroactively. A request may be deemed “unreasonable” if it:

1. Creates a direct threat to the health or safety of others.
2. Causes a substantial change in an essential element or a substantial alteration in the manner in which the university provides a program or service.
3. Causes undue financial or administrative burden.

Temporary Accommodations

Students needing temporary accommodations should complete the DSS registration process by submitting an application and documentation. The documentation should be on official letterhead and include the following: a statement which classifies the individual as disabled; onset, nature, estimated duration and severity of injury; any adverse side effects caused by medication, recommended assistance to accommodate the student’s injury, and a signature from the diagnosing professional. Documentation should also be recent enough to describe how the injury affects the individual currently.

Some examples of temporary impairments can include but are not limited to broken extremities, hand injuries, or torn ligaments. A temporary injury does not usually qualify as a disability under the 1990 Americans with Disabilities Act (ADA) however; the severity and duration of the injury will be taken into consideration.

Since temporary conditions can occur at any point during the semester, the timing can significantly impact the accommodation options available to the student. Timely and open communication with the DSS, faculty and other campus offices, as needed, about the nature and duration of the condition and requested assistance can often result in satisfactory solutions to the short-term issues caused by the injury or condition. Students with temporary impairments are encouraged to contact the DSS to determine accommodation options.

Receiving Accommodations in Your Classes

Once you are registered with DSS and eligible to receive accommodations, you are responsible for arranging accommodations with instructors for each class, each semester.

Faculty Notification Letters

- Faculty notification letters include your name, student identification number, class, instructor's name and the accommodations you are eligible to receive. The faculty notification letter does not list any information about your disability.
- At the beginning of each semester, you must log in through the DSS Student Portal at www.uab.edu/dss and choose which instructors you would like to send faculty notification letters to. You will also be able to choose which accommodations you need for each class.
- Your instructor will receive the faculty notification letter via email. Once your instructor has received the letter, it will be recorded through the portal.
- You must meet with your instructor to discuss accommodations.
- Accommodations are not retroactive.
- You must send a faculty notification letter to an instructor to receive accommodations in a class. If a faculty notification letter is not presented, faculty members are not expected to provide accommodations.
- Please see the next page for more information about working with instructors to receive accommodations.

Initiating Classroom Accommodations with Instructors

When presenting your request for accommodations to your course instructors, please consider the following guidelines:

1. **Make an appointment.** Request an appointment with the instructor or go by his/her office or call during office hours.
2. **Verification to instructors.** Send your faculty notification letter to your instructor prior to your meeting.
3. **Be specific.** When meeting with the instructor make sure your accommodation request is specific and that the details of implementation (when, where, how) are mutually understood and agreed upon.
4. **Stay in communication.** Students and faculty are encouraged to maintain ongoing conversations throughout the semester regarding accommodations. Do not assume that something is scheduled or taken care of unless you have specifically discussed it with your instructor. Also, since instructors are often very busy, it is advisable to remind them of planned accommodations in the class period prior to when the accommodation is to occur. Arrangements for testing accommodations should be reviewed at least a week (5 working days) before an exam.
5. **Report problems to the Disability Support Services office.** If problems arise which cannot be satisfactorily resolved between you and the instructor, contact DSS for assistance. DSS staff will attempt to resolve the issue(s) causing concern by assisting you in communicating with the instructor, department, or program, participating in such discussions, or calling the instructor or head of the department in an effort to clarify and resolve the issue(s). Most situations are positively resolved through DSS consultation. However, there is a dispute resolution process and a formal complaint procedure, if needed (Please see Grievance Process on pg. 22 of this handbook).

UAB Campus Resources

UAB has many support services available to students in addition to the Disability Support Services office. We strongly encourage you to utilize all of the resources available to you. This handout lists several offices that provide opportunities to have the most enjoyable and successful college career.

One Stop Student Services

At the One Stop office you can get answers to your questions all in one place. This office answers questions related to your student account, financial aid, and registration. It is also a place for you to request an academic transcript, enrollment verification or an address or name change.

Location: Hill Student Center, 103

Phone: (205) 934-4300; 1-855-UAB-1STP (822-1787)

Website: www.uab.edu/students/one-stop

E-mail: onestop@uab.edu

Career Services

The Career Services office is available to help you get the most of your college experience so that you can be prepared for a successful career. Services include choosing a major, career assessments, personality assessments, job seeking strategies, resume writing, and interview skills training.

Location: Hill Student Center, 307

Phone: (205) 934-4324

Website: www.uab.edu/careerservices

E-mail: careerservices@uab.edu

TRIO Academic Services:

If you are a first-generation college student, have a disability, or meet federal income requirements, you may be eligible for free support services and incentives created to help you achieve your goal of graduating in four years. TRIO Academic Services (TAS) is a Student Support Services program that is a part of a network of TRIO programs fully funded by the U.S. Department of Education. The mission of TAS is to provide academic and personal support to help participants be successful as they pursue their educational goals at UAB.

Location: Hill Student Center, 315

Phone: (205) 934-2729

Website: www.uab.edu/students/academics/trio

E-mail: TrioAcademicServ@uab.edu

Veteran's Affairs Services:

UAB Veteran's Affairs is grateful to be able to serve students who have served in the United States Armed Forces and who are now attending college using one or more of the Educational Benefits packages. Veteran's Affairs Services is also available to assist the dependents and/or spouses of soldiers.

Location: Hill Student Center, 313

Phone: (205) 934-8804

Website: www.uab.edu/students/veterans

Email: veteransaffairs@uab.edu

Counseling Services:

Counseling Services provides confidential personal counseling services to deal with issues such as anxiety, depression, relationships, grief, stress, living away from home, time management, and dealing with a disability while being in college. Counseling services are free to any student currently enrolled at UAB.

Location: 1714 9th Ave S, LRC 3rd Floor, Birmingham, Al 35294

Phone: (205) 934-3580

Website: www.uab.edu/studenthealth/counseling

E-mail: counseling@uab.edu

Academic Advising:

Each student at UAB is assigned an academic advisor. Your advisor is available to help you identify and plan your educational goals; guide you through scheduling and degree requirements; refer you to campus resources that can help boost academic performance; help you understand academic policies and procedures; and provide information about potential areas of study. Make sure to talk to your advisor to take advantage of the information, assistance, and encouragement they can provide to you throughout your time at UAB.

*Each program of study has different advisors. Please visit the Academic Advising website to identify your advisor.

Website: www.uab.edu/students/academics/advising

Student Health Services:

UAB Student Health Services provides care for the medical needs of students, including prevention, treatment, or counseling. Routine check-ups, prescriptions, and help for illness or injury are all common services that are offered. Information and access to insurance is also available through UAB Student Health Services.

Location: 1714 9th Ave. S

Phone: (205) 934-3580

Website: <https://www.uab.edu/students/health/>

Student Health Services (for requesting medical withdrawal): Sometimes students with disabilities experience difficulties during a semester due to their disability that make it very difficult or impossible to finish out the semester successfully. In this case, students are encouraged to pursue a medical withdrawal, which is an option to withdraw without penalty for the semester due to a medical condition. This office provides a variety of academic student services, including review of exemptions to academic policy requests.

Location: 1714 9th Ave. S

Phone: (205) 934-3580

Website: <https://www.uab.edu/students/health/medical-withdrawal>

E-mail: carolgriggs@uabmc.edu

UAB Testing Center:

This office provides individual placement testing in English, mathematics, physics, and foreign languages. Group testing is available during orientation. *Please note that if a student wishes to use accommodations on a placement test, they must first be registered and eligible for services from Disability Support Services at UAB.*

Location: 936 19th St. S

Phone: (205) 934-3704 or (205) 934-5503

Website: www.uab.edu/testing

E-mail: testing@uab.edu

Vulcan Materials Academic Success Center

Location: Edu.Buidling 240 901 13th St. S

Website: www.uab.edu/students/academics/student-success

Phone: (205)-934-8184 | **Email:** VMASC@uab.edu

The VMASC is located in the Education Building close to the Center for Teaching and Learning

Being successful in college requires planning, preparation, and hard work. Understanding what it takes to be successful is an important first step. UAB is here to help you on your path to academic success. By going to the University Academic Success Center website you can get more information about the following resources:

Supplemental Instruction

Supplemental Instruction is an academic support program involving a series of weekly review sessions for students taking historically difficult courses. Sessions are designed to reinforce the content of the course while developing course-specific problem solving skills and test preparation strategies. Attendance in Supplemental Instruction sessions is voluntary and free of charge.

Success Advising

Success advising matches interested students with a trained adviser for guidance on how to effectively study for UAB courses. Each session is tailored to a student's particular needs, but common topics addressed in a session may include knowing how to study, understanding your learning style, managing your time, reading effectively and taking notes, preparing for and taking tests, maximizing memory, setting goals and self-motivating, and using campus resources to get the academic results you desire. Students should bring class materials to the sessions to ensure you can implement new study techniques immediately.

Tutoring

The Vulcan Materials Academic Success Center provides free course specific tutoring services to UAB undergraduate students. Tutoring is offered in both one-on one and group sessions. Our tutoring sessions are tailored to address undergraduate students' questions and needs as we aim to foster independent learning. The Tutors are undergraduate and graduate students who have excelled in the course in which they tutor, and they have been trained to facilitate discussions on course content, study skills, and strong academic habits.

Tutoring Resources

UAB is committed to your academic success. In addition to the academic support programs offered through the Vulcan Materials Academic Success Center, there are many individual tutoring options available.

Tutoring services through the following programs and departments are *free* of charge and available to all UAB students:

Math Learning Lab:

The Math Learning Lab is located in Heritage Hall, and is available to all students enrolled in undergraduate math courses. There are over 200 computers available and tutors are on site during business hours. For more information, you can visit their site at [Math Learning Lab](#).

University Writing Center:

The University Writing Center, located in Sterne Library 175, provides free assistance with all types of writing. Tutorials are open to all UAB students, from first-year undergraduates to graduate students. The UWC can help with writing from any class, as well as personal statements, scholarship essays, proposals, and other academic writing not directly related to coursework. The UWC also offers online tutoring for students enrolled in online classes, specialized tutoring for students for whom English is a second language. To make a tutoring appointment, see the UWC website and log onto the appointment system with your Blazer ID and password.

Website: [UAB Writing Center](#)

Private Tutoring Lists by Department

Various academic departments provide a list of available private tutors. If in need of private tutoring, DSS advises the student to contact the specific academic department for which the tutor is being requested. Please note that tutoring is not considered an academic accommodation; however DSS staff is available to assist with locating resources for tutoring services. Communications and negotiations regarding tutoring arrangements, payments, etc. are solely up to the tutor and student.

Self-Advocacy

Now that you are in college, it is up to you to advocate for yourself and your needs. When you were in high school, your parents and teachers likely determined what you needed and discussed your disability. Teachers and parents likely identified that you had a disability and made arrangements for you to receive services. In college, the process works much differently. In college you must do the following to receive accommodations:

- Self-identify and disclose a disability
- Provide the necessary required documentation of a disability

In addition to self-identifying and providing the necessary documentation, you will need to be able to answer these questions when arranging for your accommodations:

- What is your disability?
- How does your disability affect you in the classroom?
- What accommodations have been helpful in the past?
- What accommodations do you think you need?

Advocating for yourself also means that it is your responsibility to talk to your professors about what you need. It is up to you to decide if and when you will use your accommodations. As previously stated, you may choose to use some accommodations in some classes and choose not to use them in others. So, you will need to be able to discuss the following with professors:

- Which accommodations you intend to use in the classroom (do not assume that they know)
- Coordinate with them how the accommodations will be provided, such as extended time on tests, alternative format for tests, etc.

Professors and instructors will not remind you when assignments are due or if you have incomplete assignments. They will have no parental contact. They expect that you will read, save, and refer back to your course syllabus. You are completely responsible for your classes. If you need assistance, they expect you to approach them and ask.

Some other examples of things you will need to do to advocate for yourself in college:

- Act as independent adult
- Arrange your own weekly schedule
- Contact your instructors regarding assistance
- Arrange for and obtain your own personal tutoring
- Self-monitor and seek assistance and help when needed

Confidentiality and Your Disability

Now that you are in college, you are an adult. The laws of the United States recognize an 18 year old as an adult. All documentation, forms, and information that you submit to Disability Support Services, is kept in a confidential file. FERPA provides ways in which a school may but is not required to share information from an eligible student's education records with parents, without the student's consent. The Department of Education list these examples:

- Schools may disclose education records to parents if the student is claimed as a dependent for tax purposes.
- Schools may disclose education records to parents if a health or safety emergency involves their son or daughter.
- Schools may inform parents if the student, if he or she is under age 21, has violated any law or policy concerning the use or possession of alcohol or a controlled substance.
- A school official may generally share with a parent information that is based on that official's personal knowledge or observation of the student.

For more information visit: [Guide to the Family Educational Rights and Privacy Act](#)

Note: If you would like for DSS to speak to anyone on your behalf in regards to your disability and accommodations, please fill out the DSS Release of information located on the DSS portal.

Faculty: If a faculty member calls DSS to ask questions about your accommodations, with your permission, we will discuss your specific accommodations with them. We will, at no time, release information about your disability or diagnosis, as this is confidential information.

We encourage you to not disclose your disability to faculty as well. Some faculty, being well-intentioned, may say, "If you tell me your disability, then I can know better how to help you." You do not need to tell them your disability in order for them to provide accommodations. If you have given them your accommodation letter, then you can let them know that the accommodations listed will be helpful to you. If you have any difficulty with faculty telling you that they need to know your disability, please contact DSS as soon as possible.

Parents: Federal law prohibits DSS from discussing confidential information with your parents as well. This includes any information related to grades or disabilities. Our office cannot release any confidential information without your explicit permission. At the high school level, the relationship is between the school district and your parents; at the college level, the relationship is between the college and the student.

Grievance Procedure

Purpose

These Grievance Procedures are established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and the Rehabilitation Act of 1973 section 504. The ADA and the Rehabilitation Act prohibit the University of Alabama at Birmingham ("UAB") from excluding individuals from participation in its educational programs or activities on the basis of disability, from denying them the benefits of such programs or activities, and from discriminating against such individuals. The ADA and the Rehabilitation Act also require UAB to adopt a grievance process relating to discrimination on the basis of disability. UAB has adopted these internal grievance procedures providing for prompt, equitable, and impartial resolution of grievances alleging violations of the ADA or Section 504. These grievance procedures support UAB's values of diversity, inclusion, and integrity and are established to implement UAB's Equal Opportunity and Discriminatory Harassment Policy as it relates to the requirements of the ADA and the Rehabilitation Act.

This Grievance Procedure applies to UAB students who believe they have been discriminated against on the basis of their disability or have been denied access or accommodations required by law. This is the procedure for grievances against the university itself, or university employees or agents, and is governed by UAB's Equal Opportunity and Discriminatory Harassment Policy.

Specifically, students may file a grievance regarding:

- A requested service or accommodation, including appeals of Disability Services' determinations regarding accommodations;
- Inaccessibility of a university program or activity;
- Harassment or discrimination on the basis of disability in violation of university policy; or
- Any other alleged violation of the ADA or the Rehabilitation Act.
-

For more information, visit ada.gov

Informal Resolution

Grievance Students are encouraged to pursue informal resolution before filing a formal grievance with the ADA/504 Compliance Officer. DSS is available to facilitate informal resolution. The Associate Director and the Assistant Director are available to discuss student concerns regarding accommodations and services for students with disabilities. There is no requirement that students attempt informal resolution before filing a formal grievance; however, experience has shown that the majority of grievances can be effectively resolved through the informal process.

For more information on please visit [DSS Grievance Procedure](#)

ADA Grievance Policy

The University of Alabama at Birmingham is committed to ensuring compliance with the Americans with Disabilities Act (ADA). Students who believe the university or university representatives have violated or potentially violated the ADA should report this claim to the university ADA Compliance Officer. The ADA Compliance Officer at the University of Alabama at Birmingham is the Director of Disability Support Services, Mrs. Allison Solomon. To report a compliance concern or to discuss a potential compliance concern, please contact:

Allison Solomon, ADA/504 Compliance Officer

Director of Disability Support Services

ADA Compliance Officer

Email: asolomon@uab.edu

Phone: 205.934.4205

Students should be prepared to submit a written account of the alleged violation(s) and will be asked to meet with Mrs. Allison Solomon to discuss the claim.

If a complaint is not resolved through the UAB Grievance Process, you may file a formal complaint with the regional Office for Civil Rights in Atlanta, Georgia. The Office of Civil Rights investigates complaints alleging violations of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act.

Alabama Department of Rehabilitation Services Vocational Rehabilitation Resources

UAB students who are registered with DSS may also qualify for services through the Alabama Department of Rehabilitation Services (ADRS) or sometimes referred to as Vocational Rehabilitation (VR). ADRS or VR is a state agency that functions separately from the university. The Alabama Department of Rehabilitation Services' transition from school to work services help ensure that Alabama's students with disabilities leave school as independent, productive and contributing members of their communities.

The transition from high school to college is a crucial time, particularly for young people with disabilities. Since 1990, Vocational Rehabilitation Service (VRS) has helped college-bound students prepare for life after high school.

College Prep

College Prep ... for more of what students need to succeed
One-on-one counseling teaches students how to:

- take good notes
- find their best study style
- improve their computer skills
- manage their time
- polish their social skills
- handle stress
- improve reading, writing, & math skills
- manage their money
- advocate for themselves
- seek financial resources

College Prep ... for a taste of college life

- mock lectures
- campus tours
- college computer labs

To be eligible for **College Prep**, students must be referred by a VRS counselor. For more information, call 1-800-441-7607.

Explore at ADRS Lakeshore

Discover your talents, skills and abilities. Through vocational evaluations, VR can help you determine your strengths and needs. VR also offer recommendations that may be used as you and your counselor work together on your employment plan. Evaluation services are available to ADRS consumers throughout the state. You can travel to VR's Birmingham facility or they will come to you.

The specially trained staff at ADRS Lakeshore can help identify:

- appropriate accommodations/modifications
- functional and vocational effects of disability
- appropriateness of employment goals
- feasible vocational options
- appropriateness of post-secondary goals

Learn to navigate the workplace. That's one of VR's specialties. ADRS Lakeshore's Employability Development Services include:

- college preparation
- social skills training
- career exploration and job readiness skills
- job placement and job coaching

Your specially tailored program may include one or more of the above services. Many of the services are offered in groups or one on one, whichever is appropriate. If similar services are not available in your area, VR can also provide them in a location convenient to you.

Make technology work for you. For many people with disabilities, assistive technology is the key to independence. VR's Assistive Technology Services are available through two programs:

- **Adaptive Driving Training Program:** offers assessment and training to ADRS consumers who are interested in learning to drive; three vehicles with varying levels of technology are available to provide hands-on experience.
- **Assistive Technology Program:** provides evaluation and training with a range of technology solutions aimed at improving your functional abilities and work productivity; from voice input to infrared mouse control, from screen-reading applications to visual magnification, various low- to high-tech solutions are available for hands-on exploration.
- As with our other programs, VR's assistive technology services may be provided at the Birmingham facility or in your community.

About ADRS Lakeshore

Located in Birmingham, ADRS Lakeshore is an Alabama Department of Rehabilitation Services facility. To be eligible for services, you must be an Alabama Department of Rehabilitation Services consumer and have a referral from a Vocational Rehabilitation Service rehabilitation counselor.

For more information about ADRS Lakeshore

Phone: 1-800-441-7609 or 1-800-499-1816 (TTY) ▪ website: www.rehab.alabama.gov

ADRS mission: to enable Alabama's children and adults with disabilities to achieve their maximum potential

Alabama Department of Rehabilitation Services

602 S. Lawrence St.

Montgomery, AL 36104

Phone: (334) 293-7500 • 1-800-441-7607

TTY: 1-800-499-1816 • Fax: (334) 293-7383

www.rehab.alabama.gov

In the provision of services and in employment practices, the Alabama Department of Rehabilitation Services does not discriminate on the basis of race, sex, creed, national origin, religion, age or disability

Basic Principles of the ADA for Colleges & Universities
By J. Trey Duffy

1. **The ADA is a civil rights law intended to provide equal access and opportunity for people with disabilities.** It is not intended to afford anyone special privileges.
2. **Disability = Impairment + Substantial Limitation + Major Life Activity.** Determining impairments and major life activities is relatively straightforward. Measuring what constitutes a “substantial limitation” is the complex aspect of determining disability. Not everyone with impairment is disabled; only those whose impairments rise to the level of “substantial limitation” are qualified as disabled.
3. **The individual must be otherwise qualified.** In education this means the individual meets the academic and technical standards for admission or participation. However, if the qualification for attending a specific event, such as a lecture or performance, is having a ticket, then an individual with a disability possessing a ticket is qualified.
4. **Institutions must provide reasonable accommodations to qualified individuals with disabilities.** Reasonable accommodations are modifications to policies, practices or environments that allow an individual with a disability equal access or opportunity.
5. **Institutions do not need to provide a reasonable accommodation if it fundamentally alters the nature of the program or activity.** For example, a student, who because of their disability will miss several weeks of class, asks for permission to work from home and not attend classes. This may be reasonable, but the request can be denied if the instructor/college believes attending class is fundamental. Attendance may be fundamental in a foreign language class and not be fundamental in math (e.g. all the math assignments can be done at home and class participation may not be an essential requirement).
6. **Students must self-identify, provide documentation of disability and request services and accommodations.** Accommodations requested after the fact are not appropriate and generally need not be provided.
7. **The institution can decide on the type of accommodation to be provided and need not always provide what is requested.** The institution should consider specific requests and provide them whenever reasonable and feasible. The primary issue is that accommodations need to be ‘effective.’
8. **Only individuals who currently have a “disability” are entitled to accommodations.** An individual with a “history” of a disability is protected from discrimination but is not disabled for the purposes of receiving services and accommodations. For example, an individual acquires the substantially limiting impairment of cancer. For two years, the student requests and receives accommodations. Three years after being diagnosed the student is fully recovered. The student no longer is disabled. However, they are protected against discrimination related to their prior history of having cancer.

Appendix A

**The Differences in Legal Rights and Responsibilities in
Secondary and Postsecondary Education**

In order to understand the differences between being a student in special education in high school and being a college student with a disability, you have to have a basic understanding of the legislation that dictates how each of those educational settings operates. The following chart will help you compare the laws:

	Secondary Education	Postsecondary Education
What is the law?	IDEA: Individuals with Disabilities Education Act 504: Section 504 of the Rehabilitation Act of 1973. ADA: Americans with Disabilities Act of 1990	504: Section 504 of the Rehabilitation Act of 1973, particular reference to Subpart E ADA: Americans with Disabilities Act of 1990
What is the intent of the law?	IDEA: To provide a free, appropriate public education in the least restrictive environment to identified students with disabilities, including special education and related services. 504/ADA: To ensure that no other-wise qualified person with a disability is denied access to, benefits of, or is subject to discrimination solely on the basis of disability.	504/ADA: To ensure that no other-wise qualified person with a disability is denied access to, benefits of, or is subject to discrimination solely on the basis of disability.
Who is covered under the law?	IDEA: All infants, children and youth requiring special education services until age 21 or graduation from high school.	504/ADA: All qualified persons with disabilities who, with or without reasonable accommodations, meet the college's admissions requirements and the specific entry level criteria for the specific program and who can document the existence of a disability as defined by Section 504.
What is a disability?	IDEA: A list of 13 disability classification areas are defined in IDEA and include specific learning disabilities. 504/ADA: have no such list. A person with a disability is defined as anyone who has: 1. any physical or mental	504/ADA: A person with a disability is defined as anyone who has: 1. any physical or mental impairment which substantially limits one or more major life functions

	Secondary Education	Postsecondary Education
	<p>impairment which substantially limits one or more major life functions;</p> <p>2. a history of such an impairment</p> <p>3. or is regarded as having such an impairment.</p>	<p>2. a history of such an impairment</p> <p>3. is regarded as having such an impairment.</p> <p>ADA: also includes HIV status and contagious and non-contagious diseases.</p>

Who is responsible for identifying and documenting need?	School districts are responsible for identifying and evaluating potential students with disabilities. When such a determination is made, the district plans educational services for classified students at no expense to the family.	Students are responsible for self-identification and for obtaining disability documentation from a professional who is qualified to assess their particular disability; cost of the evaluation must be assumed by the student, not the post-secondary institution.
Who is responsible for initiating service delivery?	School districts are responsible for identifying students with disabilities and providing special education programs and services, including related services, and transition services as delineated in an Individualized Education Program.	Students are responsible for notifying the Disability Support Services staff of their disability and of their need for reasonable accommodations. Accommodations (not special education) are provided on a case-by-case, as-needed basis in order for students with disabilities to have equal access to the institution's programs and activities.
Who is responsible for enforcing the law?	IDEA is an entitlement law, enforced by the Office of Special Education and Rehabilitation Services in the US Department of Education. Local enforcement is the responsibility of the NYS Department of Education Office of Vocational and Educational Services for Individuals with Disabilities (VESID)	504/ADA: are civil rights statutes overseen by the Office of Civil Rights (OCR) , and the US Department of Justice in conjunction with the Equal Employment Opportunity Commission (EEOC) .
What about advocacy?	The parent or guardian is the primary advocate. Students with disabilities from age 14 on must be invited to	Students must be able to self-identify and discuss their disability and needs in order

	participate in the IEP process. If the student does not attend, the district must ensure that the student's preferences and interests are considered.	to work with the Disability Support staff to implement reasonable accommodations. The Family Educational Rights Privacy Act (FERPA) guarantees student confidentiality. Conversations with parents regarding confidential information without written consent from the student are illegal.
--	---	--

Appendix B

What Are The Differences Between High School And College?

For Students with Disabilities

In High School	In College
High school, you are 'entitled to education.'	In college, you have a 'right to equal access to education.'
Accommodations are designed to make you successful and lead to graduation.	Accommodations are designed to 'level the playing field' between students with disabilities and those without.
You have a group of people making a specialized plan for your education (504 plan or IEP)	You are responsible for designing your educational experiences and plan for success.
Laws governing high school education are included in the IDEA of 2004.	Laws governing education for students with disabilities in college are the Americans with Disabilities Act 1990 and Section 504 of the Rehabilitation Act of 1973.

General Differences

In High School	In College
High school is mandatory and usually free.	College is voluntary and expensive.
Your time is structured by others.	You manage your own time.
You can count on parents and teachers to remind you of your responsibilities and to guide you in setting priorities.	You must balance your responsibilities and set priorities. You will face moral and ethical decisions you have never faced before.
Each day you proceed from one class directly to another, spending 6 hours each day--30 hours a week--in class.	You often have hours between classes; class times vary throughout the day and evening and you spend only 12 to 16 hours each week in class
Most of your classes are arranged for you.	You arrange your own schedule in

	consultation with your advisor. Schedules tend to look lighter than they really are.
You are not responsible for knowing what it takes to graduate.	Graduation requirements are complex. You are expected to know those that apply to you.
<i>Guiding principle: You will usually be told what to do and corrected if your behavior is out of line.</i>	<i>Guiding principle: You are expected to take responsibility for what you do and do not do, as well as for the consequences of your decisions.</i>

Classes

In High School	In College
You do most of your studying in class, with homework as a back-up.	You do most of your studying outside of class (at least 2 to 3 hours outside of class for each hour in class) with lectures and other class work as a guide.
You seldom need to read anything more than once, and sometimes listening in class is enough.	You need to review class notes and text material regularly.
You are provided with textbooks at no expense.	You need to budget substantial funds for textbooks.
You are expected to read short assignments that are then discussed, and often re-taught, in class.	You are assigned substantial amounts of reading and writing which may not be directly addressed in class.
<i>Guiding principle: You will usually be told in class what you need to learn from assigned readings.</i>	<i>Guiding principle: It is up to you to read and understand the assigned material; lectures and assignments proceed from the assumption that you have already done so.</i>

Tests

In High School	In College
Testing is frequent and covers small amounts of material.	Testing is usually infrequent and may be cumulative, covering large amounts of material. You, not the professor, need to organize the material to prepare for the test. A particular course may have only 2 or 3 tests in a term
Makeup tests are often available.	Makeup tests are seldom an option; if they are, you need to request them.
Teachers frequently rearrange test dates to avoid conflict with school events.	Professors in different courses usually schedule tests without regard to the demands of other courses or outside activities.
Teachers frequently conduct review sessions, pointing out the most important concepts.	Professors rarely offer review sessions, and when they do, they expect you to be an active participant, one who comes prepared

	with questions.
<i>Guiding principle: Mastery is usually seen as the ability to reproduce what you were taught in the form in which it was presented to you, or to solve the kinds of problems you were shown how to solve.</i>	<i>Guiding principle: Mastery is often seen as the ability to apply what you have learned to new situations or to solve new kinds of problems.</i>

Grades

In High School	In College
Grades are given for most assigned work.	Grades may not be provided for all assigned work.
Consistently good homework grades may raise your overall grade when test grades are low.	Grades on tests and major papers usually provide most of the course grade.
Extra credit projects are often available to help you raise your grade.	Extra credit projects cannot, generally speaking, be used to raise a grade in a college course.
Initial test grades, especially when they are low, may not have an adverse effect on your final grade.	Watch out for your first tests. These are usually "wake-up calls" to let you know what is expected--but they also may account for a substantial part of your course grade. You may be shocked when you get your grades.
You may graduate as long as you have passed all required courses with a grade of D or higher.	You may graduate only if your average in classes meets the departmental standard.
<i>Guiding principle: "Effort counts." Courses are usually structured to reward a "good-faith effort."</i>	<i>Guiding principle: "Results count." Though "good-faith effort" is important in regard to the professor's willingness to help you achieve good results, it will not substitute for results in the grading process.</i>

Teachers/Professors

In High School	In College
Teachers check your completed homework.	Professors may not always check completed homework, but they will assume you can perform the same tasks on tests.
Teachers remind you of your incomplete work.	Professors may not remind you of incomplete work.
Teachers approach you if they believe you need assistance.	Professors are usually open and helpful, but most expect you to initiate contact if you need assistance.
Teachers are often available for conversations before, during, or after class.	Professors expect and want you to attend their scheduled office hours.
Teachers have been trained in teaching methods to assist in imparting knowledge to	Professors have been trained as experts in their particular areas of research.

students.	
Teachers provide you with information you missed when you were absent.	Professors expect you to get from classmates any notes from classes you missed.
Teachers present material to help you understand the material in the textbook.	Professors may not follow the textbook. Instead, to amplify the text, they may give illustrations, provide background information, or discuss research about the topic you are studying. Or they may expect you to relate the classes to the textbook readings.
Teachers often write information on the board to be copied in your notes.	Professors may lecture nonstop, expecting you to identify the important points in your notes. When professors write on the board, it may be to amplify the lecture, not to summarize it. Good notes are a must.
Teachers impart knowledge and facts, sometimes drawing direct connections and leading you through the thinking process.	Professors expect you to think about and synthesize seemingly unrelated topics.
Teachers often take time to remind you of assignments and due dates.	Professors expect you to read, save, and consult the course syllabus (outline); the syllabus spells out exactly what is expected of you, when it is due, and how you will be graded.
Teachers carefully monitor class attendance.	Professors may not formally take roll, but they are still likely to know whether or not you attended.
<i>Guiding principle: Teachers bear much of the responsibility for your learning.</i>	<i>Guiding principle: You bear the responsibility for your learning while your professors serve as guides, mentors, and resources.</i>

The information on this page is adapted from and courtesy of the [Altshuler Learning Enhancement Center](#) at Southern Methodist University

Additional Resources:

[Resource Guide for Students with Disabilities](#)

[Financial Aid for Students with Disabilities](#)